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9/17/03
T.W.
PATENT
Attorney Docket No. 210163

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph F. Wenzl et al.

Group Art Unit: 3634

Serial No. 09/924,668

Examiner: Jerry Redman

Filed: August 8, 2001

For: Security Gate

**RESPONSE TO RESTRICTION REQUIREMENT
AND PROVISIONAL ELECTION**

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Commissioner For Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

SEP 12 2003

GROUP 3600

Dear Sir:

In response to the Office Action dated May 13, 2003, applicants present the following remarks. Applicants respectfully request reconsideration of the restriction requirement as set forth in the Office Action as examination of all 15 pending claims would not pose undue burden on the Examiner. In any event, applicants provisionally elect the Group I claims, namely, claims 1-11, drawn to a security gate assembly.

The Office Action restricted pending claims 1-15 in the above application into three groups as follows: (1) Group I (claims 1-11) which, according to the Action, are drawn to a security gate assembly; (2) Group II (claims 12-13), which according to the Action, are drawn to a control system; and (3) Group III (claims 14-15), which according to the Action are drawn to a linkage assembly. The Office Action then concluded that the inventions to a security gate assembly for controlling vehicle traffic, a control system implementing method data associated with input and output functions, and the linkage assembly attached to a driven member via motor, are distinct inventions and have acquired separate status in the art.

Applicants respectfully traverse the restriction requirement. While the subject matter of the claims is commensurate with the various elements as set forth in the claims, applicants submit that a search and examination of the entire set of claims in the application can be made without serious or undue burden to the Examiner. That is because in some form the

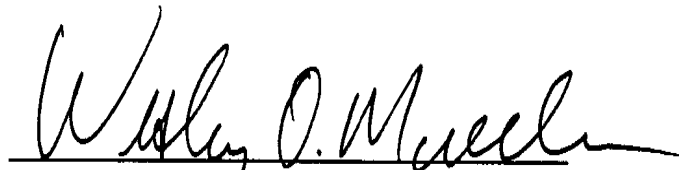
In re Application of Wenzl et al.
Serial No. 09/924,668

inventions as set forth in the claims have application to the security gate art. Accordingly, applicants respectfully request that all of the claims be examined on the merits, even though the application includes claims of various scope and directed to various features and embodiments.

Applicants provisionally elect Group I (claims 1-11) for prosecution in the instant application without prejudice for filing one or more divisional applications to the subject matter of the non-elected claims.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.



Wesley O. Mueller - Reg. No. 33,976

Two Prudential Plaza - Suite 4900

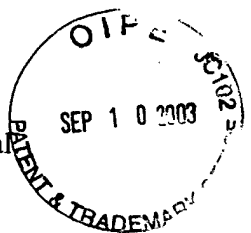
Chicago, Illinois 60601

(312) 616-5600 (phone)

(312) 616-6700 (fax)

Date: September 8, 2003

In re Application of Wenzl et al
Serial No. 09/924,668



CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO RESTRICTION REQUIREMENT AND PROVISIONAL ELECTION (along with any attachments) is being sent via first-class mail, postage prepaid, addressed to: Commissioner For Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on September 8, 2003.

Sept 8, 2003
Date

Wesley O. Muelle

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 Application No. 09/924,668
 Filed: August 8, 2001
 For: Security Gate



Mail Stop
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a response to an office action in the subject application.

☐ Applicants claim small entity status of this application under 37 CFR 1.27.

☒ **Petition for Extension of Time**

☒ Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$930.00.

☐ Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.

☒ No additional claim fee is required.

☐ Other:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL		MINUS		=	x 9=	\$	x 18=	\$
INDEPENDENT		MINUS		=	x 42=	\$	x 84=	\$
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 140=	\$	+ 280=	\$
					TOTAL	\$	TOTAL	\$

☒ Please charge my Deposit Account No. 12-1216 in the amount of \$930.00. A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached.

☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

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Respectfully submitted,
 LEYDIG, VOIT & MAYER, LTD.

GROUP 3600

By Wesley O. Mueller
 Wesley O. Mueller - Reg. No. 33,976

Leydig, Voit & Mayer, Ltd.
 Two Prudential Plaza, Suite 4900
 180 North Stetson
 Chicago, Illinois 60601-6780
 (312) 616-5600 (telephone)
 (312) 616-5700 (facsimile)